

**REMARKS**

Claims 1-33 remain pending in the present application. Claims 4 and 17-23 stand withdrawn from consideration in view of the Election of Species requirement issued by the Examiner on April 22, 2003.

**Rejections over Rudisill et al. (WO 01/09425)**

Claims 1-3, 5-16, and 24-33 stand rejected under 35 U.S.C. §102(a) as anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over Rudisill et al. Applicants traverse these bases for rejection and respectfully request reconsideration and withdrawal thereof.

Applicants direct the Examiner's attention to the fact that the inventorship of the present application is identical to that of Rudisill et al. Accordingly, Rudisill et al. is unavailable as a reference under 35 U.S.C. §102(a), since it is not 'by another'.

Applicant's disclosure of his or her own work within the year before the application filing date cannot be used against him or her under 35 U.S.C. 102(a). *In re Katz*, 687 F.2d 450, 215 USPQ 14 (CCPA 1982). (MPEP 2132.01).

Since the cited reference is unavailable under 35 U.S.C. §102(a), it is likewise unavailable to support a rejection under 35 U.S.C. §103(a). Withdrawal of the rejections and allowance of the claims is respectfully requested.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas W. Steinberg", written in a cursive style.

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Dated: \_\_\_\_\_

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